

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
UNITED STATES OF AMERICA,

- against -

JOHN MELICHAREK,
a/k/a "Rocky,"
MICHAEL IUNI,
DOMINICK MEMOLI,
a/k/a "Shakes,"
ANGELO NICOSIA,
LOUIS PIPOLO,
DARDIAN CELAJ,
a/k/a "Danny,"
ENED GJELAJ,
a/k/a "Neddy,"
GJELOSH KRASNIQI,
a/k/a "Jimmy,"
Defendants.

S1 07 Cr. 907 (SAS)

**DECLARATION OF
MARTINE M. BEAMON**

----- x
**DECLARATION OF MARTINE M. BEAMON IN
SUPPORT OF MOTION BY DEFENDANT DOMINICK MEMOLI**

I, MARTINE M. BEAMON, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury, that:

I am a member of the Bar of this Court and of the firm of Davis Polk & Wardwell and have been appointed pursuant to the Criminal Justice Act to represent defendant Dominick Memoli in the above-captioned matter. I respectfully submit this Declaration in support of Mr. Memoli's motion seeking an Order (1) severing Counts III-VII from the remainder of the Superseding Indictment or severing Mr. Memoli from the other defendants pursuant to Rule 8(b) or 14 of the Federal Rules of Criminal Procedure; (2)

directing the Government to comply with Defendants' discovery requests pursuant to Rules 7(f), 16, and 57(b) of the Federal Rules of Criminal Procedure.

1. Attached hereto as Exhibit A is a true and correct copy of the Indictment filed in the instant action, 07 Crim. 907 (SAS) (Docket No. 1).
2. Attached hereto as Exhibit B is a true and correct copy of the Superseding Indictment filed in the instant action, S1 07 Crim. 907 (SAS) (Docket No. 44).
3. Attached hereto as Exhibit C is a true and correct copy of excerpts of the Transcript of Proceeding before the Honorable Shira A. Scheindlin held on October 23, 2007.
4. Attached hereto as Exhibit D is a true and correct copy of excerpts of the Transcript of Proceeding before the Honorable Shira A. Scheindlin held on December 12, 2007.
5. Attached hereto as Exhibit E is a true and correct copy of a letter from Martine Beamon to Assistant United States Attorney Elie Honig dated February 7, 2008.

Dated: New York, New York
February 15, 2008

/s/ Martine M. Beamon
Martine M. Beamon (MB 1687)